

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

STEVEN BRANCH,

Plaintiff,

v.

Civil Action No. 3:23CV632

UNKNOWN,

Defendant.

MEMORANDUM OPINION

Plaintiff, a Virginia inmate proceeding *pro se*, has submitted a letter requesting the Court to send him a form for filing a 42 U.S.C. § 1983 complaint. (ECF No. 1.) By Memorandum Order entered on October 19, 2023, the Court directed the Clerk to mail Plaintiff a standardized form for filing a 42 U.S.C. § 1983 complaint. The Court explained that if Plaintiff wished to file a complaint at this time, he should complete and return the form to the Court within thirty (30) days of the date of entry thereof. The Court noted that if Plaintiff failed to take any action within that time, the Court would dismiss the action without prejudice. *See Fed. R. Civ. P. 41(b).*

More than thirty (30) days have elapsed, and Plaintiff has not completed and returned the § 1983 complaint form. Accordingly, this action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

Date: 11/29/23
Richmond, Virginia

/s/ JAG
John A. Gibney, Jr.
Senior United States District Judge